IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 18TH SEPTEMBER 2007 / 27TH BHADRA 1929

WP(C).No. 27709 of 2007(W)

PETITIONER:

K.S.KAILASAN, DRAWING TEACHER,
V.H.S.S, BRAHMAMANGALAM,
BRAHMAMANGALAM POST, VAIKOM, KOTTAYAM.
RESIDING AT KANDATHIL HOUSE,
BRAHMAMANGALAM P.O., THALAYOLAPARAMBU(VIA),
KOTTAYAM DIST.

BY ADV. SRI.K.JAJU BABU
SMT.M.U.VIJAYALAKSHMI
SRI.T.R.SADEESAN

RESPONDENTS:

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1. THE DIRECTOR OF PUBLIC INSUTRUCTION,
THIRUVANANTHAPURAM.

2. THE DEPUTY DIRECTOR OF EDUCATION,
KOTTAYAM.

3. THE DISTRICT EDUCATIONAL OFFICER,
KADUTHURUTHY, KOTTAYAM.

4. THE MANAGER,
V.H.S.S, BRAHMAMANGALAM,
BRAHMAMANGALAM POST, VAIKOM,
KOTTAYAM DIST.

R1 TO R3 BY GOVT. PLEADER SRI.A.J.VARGHESE.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

W.P (C) NO. 27709 OF 2007 - W

Dated this the 18th day of September, 2007

J U D G M E N T

The petitioner, while working as a Drawing Teacher in the fourth respondent's school from 1.6.1998 onwards, due to division fall, was retrenched with effect from 15.7.1993. Later, by order dated 19.7.2000, the first respondent restored the post during the academic year 1999-00 and the petitioner rejoined duty on 1.8.2000 and is continuing as such. The break in service was also subsequently regularised by the Government. However, from the academic year 2000-01 onwards, the District Educational Officer, Kaduthuruthy treated the petitioner as a protected teacher, although the petitioner is working in a regular post sanctioned by the first respondent. The petitioner came to know about this only when he was denied salary from March, 2006 onwards. The petitioner therefore filed Ext.P2 before the first respondent. The petitioner seeks a

direction to the first respondent to consider and pass orders on Ext.P2 expeditiously.

2. I have heard the learned Government Pleader also.

3. In the facts and circumstances of the case, there would be a direction to the first respondent to consider and pass appropriate orders on Ext.P2, in accordance with law, as expeditiously as possible, at any rate within a period of one month from the date of receipt of a copy of this judgment, after affording an opportunity of being heard to the petitioner as well as the fourth respondent.

The writ petition is disposed of as above.

S. SIRI JAGAN,
Judge

Mbs/

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED: 07-09-2007